In the High Court of Uttaranchal at Nainital.

Criminal Revision No. 883/2001
(Old No. 670 of 1995)

Madan Lal S/o Ram Kumar
R/o Mohalla Baansfodhan
Kashipur, District Nainital …Revisionist-applicant.

Vs.

State of U.P. ….Respondent-Opp.Party.

Hon'ble Irshad Hussain, J.

None appear for the revisionist-applicant. Heard Sri A. Rab learned Additional Government Advocate and perused the impugned judgment.

2. The revision was not admitted before the Allahabad High Court. From perusal of the impugned judgment of the Additional C.J.M., Kashipur passed on 29-5-1992 it is evident that the revisionist-accused was convicted for offences under sections 381, 467, 471, 420 I.P.C. but he was given benefit of the provisions of the First Offenders Act and was releasd on furnishing of the required bond. On an appeal being preferred the same was dismissed by the II Additional Sessions Judge on merit on 22.2.1995. There is concurrent finding about the proof of the charges against the revisionist-accused and it was proved that a voucher with forged signatures was presented in the bank for preparation of the bank draft. The learned Magistrate and the appellate court have taken a very lenient view and instead of passing sentence of imprisonment the revisionist had been given benefit of the provisions of the First Offenders Act. Therefore, there is no perversity whatsoever in the impugned judgment and the revision petition being devoid of merit can not be admitted and the same is dismissed in limine.

(Irshad Hussain, J.)

Dated: 7-4-2004

ISB